

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: JUUL LABS, INC., MARKETING,
SALES PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

Case No. 19-md-02913-WHO

**STIPULATION AND [PROPOSED]
ORDER TO AMEND SCHEDULE**

This Document Relates to:

Judge: Hon. William H. Orrick

*San Francisco Unified School District v. Juul
Labs, Inc. et al.*, Case No. 3:19-cv-08177;
*Cheyenne and Arapaho Tribes of Oklahoma v.
Juul Labs, Inc. et al.*, Case No. 3:21-cv-05134.

The parties jointly stipulate and agree, subject to the Court’s approval, to amend certain deadlines applicable in the above-captioned cases.

WHEREAS, on June 23, 2022, the FDA issued an order (the “PMTA Order”) stating that it had “completed substantive scientific review of [JLI’s] PMTAs” and was “denying issuance of marketing granted orders” for the products JLI had submitted for approval.

WHEREAS, JLI is pursuing an appeal of the PMTA Order.

WHEREAS the Court entered an order outlining pretrial deadlines in the Government Entity bellwether litigation, including the bellwether case captioned *San Francisco Unified School District v. Juul Labs, Inc. et al.*, Case No. 3:19-cv-08177 on April 8, 2022. *See* Dkt. No. 3024 (adopting the Government Entity Plaintiffs’ proposed schedule in Dkt. No. 3015-1).

WHEREAS the opposition to the motion to dismiss in the matter of *Cheyenne and Arapaho Tribes of Oklahoma v. Juul Labs, Inc. et al.*, Case No. 3:21-cv-05134, is currently due on July 7, 2022, and the reply in support of the motion to dismiss is currently due on July 14, 2022.

WHEREAS the parties have met and conferred, and subject to the Court’s approval, Defendants propose a revised schedule for the deadlines below, without altering the current trial date for the *San*

Francisco Unified School District case and without altering dates in the *Cheyenne and Arapaho Tribes of Oklahoma* case other than as specified below. Plaintiffs do not object.

WHEREAS, subject to the Court's approval, the parties state as follows:

1. Defendants propose a two-week extension of the following deadlines in the matter of *San Francisco Unified School District v. Juul Labs, Inc. et al.*, Case No. 3:19-cv-08177. Plaintiffs do not object:

Event	Current Deadline	Revised deadline
Rebuttal reports to Dorn	July 28	August 11
Close of expert discovery (Dorn)	August 18	September 1
MSJ and <i>Daubert</i> opening briefs (SFUSD only)	August 1	August 15
MSJ and <i>Daubert</i> oppositions (SFUSD only)	August 29	September 12
MSJ and <i>Daubert</i> replies (SFUSD only)	September 12	September 26
MSJ/ <i>Daubert</i> argument (SFUSD only)	TBD by Court	No change
Exchange of Civil Local Rule 16-10(b)(7)-(10) materials	September 26	No change
Filing of Pretrial Conference Statement, Jury Instructions, Exhibit List/Objections, Deposition Designations/Objections, Motions in limine	Opening: October 3 Opposition: October 10 Reply: October 17	No change
Pre-trial Conference	October 24	No change
Jury Selection	November 4	No change
Trial Begins	November 7	No change

2. In the matter of *Cheyenne and Arapaho Tribes of Oklahoma v. Juul Labs, Inc. et al.*, Case No. 3:21-cv-05134, the parties agree to extend Plaintiff's time to oppose JLI's motion to dismiss, or to file an Amended Complaint, for 30 days from July 7, 2022 to August 8, 2022, and to extend the deadline for JLI to file a reply in support of the motion to dismiss from July 14, 2022 to August 15, 2022.

1 The parties therefore respectfully request that the Court enter an Order establishing the above
2 deadlines.

3
4 Dated: July 6, 2022

Respectfully submitted,

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UNITED STATES DISTRICT COURT
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 SALES PRACTICES, AND PRODUCTS
 LIABILITY LITIGATION

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Cheyenne and Arapaho Tribes of Oklahoma v. Juul Labs, Inc. et al., Case No. 3:21-cv-05134.

The Court hereby adopts the Parties' stipulations regarding deadlines as follows:

1. In the matter of *San Francisco Unified School District v. Juul Labs, Inc. et al.*, Case No. 3:19-cv-08177, the following deadlines shall apply:

Event	Current Deadline	Revised deadline
Rebuttal reports to Dorn	July 28	August 11
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Jury Selection	November 4	No change
Trial Begins	November 7	No change

2. In the matter of *Cheyenne and Arapaho Tribes of Oklahoma v. Juul Labs, Inc. et al.*, Case No. 3:21-cv-05134, the deadline for the opposition to the motion to dismiss shall be extended for 30 days from July 7, 2022 to August 8, 2022, and the deadline for filing a reply in support of the motion to dismiss shall be extended from July 14, 2022 to August 15, 2022.

Date: July 6, 2022

HONORABLE WILLIAM H. ORRICK
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on July 6, 2022, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will automatically send notification of the filing to all counsel of record. I also caused a copy of the under-seal documents to be served via electronic mail on all parties.

By: /s/ Renee D. Smith

Renee D. Smith